seriousness so to say that the Inam lands pertaining to temples and mutts, which are granted for the maintenance and use of the religious institutions should also be included in this very Bill. The heading of this Bill is only "The Mysore Inam Villages (Abolition of Inam Tenure) Bill, 1951." That heading along with the amendment which some of the Hon'ble Members want to introduce, is a matter of serious consideration. Personally I have no objection and the Select Committee may consider this also and go through it in detail.

It is a matter which should be admitted that no injustice should be done either to the tenants or to the Inamdars. Justice and fair-play, reasonableness and equity and all other aspects connected with this. bill will be dealt with. Some of the Hon'ble Members were suggesting that justice in all its aspects should be thought of and done to both the parties, *viz.*, tenants and Inamdars. This will be borne in mind and I have every reason to believe that the Hon'ble Members of the Select Committee will properly take this Bill into consideration and submit a report to the House in due course. One of the Hon'ble Members, Sri B. Hutche Gowda has his own apprehension as though there will be inordinate delay with a set purpose or some such thing—he was casting some aspersions—and he was saying that before the next general election there is no hope of bringing this Bill and passing it into Act.

I can only tell him that he must wait and see. Government have considered in all sincerety the desirability of introducing this Bill with the set purpose of making this into an Act and early steps will be taken to see that at least in the next session, without any failure on the part of the Government, the report will be taken up for consideration.

**Sri H. C. LINGA REDDY.**—What about the rate of compensation ?

**The Hon'ble Sri H. SIDDAIYA.**—About the rate of compensation etc., I have already said that very reasonable compensation will be offered and that it is incorporated in clauses as pointed out by some members of the House. With these few remarks.....

**Janab J. MAHMOOD SHARIFF.**—Is it possible to say what approximately would be the amount set apart ?

**The Hon'ble Sri H. SIDDAIYA.**—As it is now calculated it comes to about one crore and seventy-five lakhs. There is also a clause that it may be paid in one or more instalments. This also is a matter for consideration and as such, because the amount seems to be so big, this will again be brought before the House with the report of the Select Committee. There is no need for any apprehension. With these few remarks I hope the House will agree for the Bill being referred to the Select Committee.

**Sri M. V. KRISHNAPPA.**—I would like to add three more names, that is, Janab Mahomed Hanief, Sri D. H. Chandrasekharaiya and Sri H. K. Veeranna Gowda.

**The Hon'ble Sri H. SIDDAIYA.**—I have no objection.

**Mr. SPEAKER.**—The question is.

"That the Mysore Inam Villages (Abolition of Inam Tenure) Bill, 1951, be referred to a Select Committe consisting of :—

Sri T. Subramanya,
Sri M. V Krishnappa,
Sri G. Narayana Gowda,
Sri T. Ramachar,
Sri T. Hanumiah,
Sri K. Subbarao,
Sri M. Hutche Gowda,
Sri B. Chennabyre Gowda,
Sri A. G. Bandi Gowda,
Sri A. G. Ramachandra Rao,
Sri M. Govinda Reddy,
Sri Mali Mariyappa,
Sri T. C. Honnappa,
Sri H. K. Veeranna Gowda,
Sri D. H. Chandrasekharaiya,
Janab Mahomed Hanief, and the Mover.

*The motion was adopted*

## The Mysore Tenancy Bill, 1951.

*Motion to refer.*

*The Hon'ble Sri H. SIDDAIYA (Minister for Revenue and Excise).—

Sir, I beg to move :

"That the Mysore Tenancy Bill, 1951, be referred to a Select Committee consisting of the following members :—

Sri Kadidal Manjappa.
Sri K. R. Madhava Rao.
Sri B. C. Nanjundiah.
Sri K. Sampangiramiah.
Sri H. K. Veeranna Gowda.
Sri K. H. Mudiappa.
Sri A. Bheemappa Naik.
Sri T. Madiah Gowda.
Sri Mudduramiah.
Sri M. Madiah.
Sri H. M. Channabasappa.
Sri B. Hutche Gowda.
Sri H. Siddananjappa and
The Mover.

Sir, Sri H. B. Gundappa Gowda's Committee have recommended the enactment of this Tenancy Act. The Government also have considered that it is very necessary and desirable to give effect to it. They have also further considered that it is desirable to undertake this legislation on the lines of Chapter II of the Bombay Tenancy Act. Clause 2(15) of this Bill defines 'tenancy.' The word 'tenancy' means the relationship of the landlord and the tenant ; and who is a "tenant," is described under definition given in clause 4. It is stated there that a person lawfully cultivating any land belonging to another person shall be deemed to be a tenant subject to the conditions that are incorporated in the clause itself. The next two clauses, namely clauses 5 and 6 deal with the fixity of tenancy and also of rent. Clause 5 in particular deals with the period of tenancy. The period of tenancy has been fixed at five years. That is the recommendation of the Land Revenue Revision Committee. As regards the rent, the maximum rent is fixed at one half of the crop grown on the land, and Government have power under sub-clause (2) of clause 6 to fix a lower rate of the maximum rent payable by the tenants, etc. As regards Clause 8, it deals with the calculation of rent payable in kind. That is also as recommended by the Committee. This clause 8 fixes the measurement and the weight, etc. Regarding the landlord's powers, etc., they are subject to certain limitations and restrictions and at the same time, on the whole, it must be admitted that the Bill will be for the benefit of the tenant because so many safeguards are provided in several clauses of this Bill. And the tenant will not be required to oblige the landlord in any manner except that he is required to pay rent that will be fixed in this behalf. The determination of the reasonable rent and as to who has got to do it, are prescribed in clause 12. The Amildar is empowered to hold an enquiry and determine the reasonable rent. As to how he should proceed in fixing the so-called reasonable rent is subject to so many conditions and those factors, conditions and circumstances are incorporated in clause 12 itself. Then there may be an occasion also when the land leased out for rent fixed by the Amildar, is subjected to deterioration in due course on account of floods or other causes beyond the control of the tenant himself. Or, it may be that the tenant himself might have spent a good deal for improving the land. In such circumstances, he will be entitled to have some concession at the hands of the landlord. Similarly if further improvement is effected on the land by the landlord at his cost, then it is reasonable and equitable to expect that rent is enhanced. That is also narrated in this very clause 12. And so far as the tenant is concerned and also the landlord, in case of failure of crops due to scarcity of rainfall and other causes if the assessment is remitted or suspended, the same concession should be extended to the tenant. This is also provided for in clause 13 and if there is a partial remission or suspension, the Concession to the tenant also must be in the same proportion. And there is also the provision in this Bill that if the tenant fails to pay the rent that is due from him to the landlord, the tenancy could be terminated and unlike the Bombay Tenancy Act, this Bill provides "if the tenant has failed to pay the rent of such land for a Continuous period of two years, the

tenancy is terminated. Further, that the tenancy can be terminated due to other circumstances also is provided in clause 14. It is provi ded here that there should be no sub-division or sub-letting except in cases where the tenant happens to be a minor or a widow or a man of unsound mind or comes forward to cultivate the land with physical or mental disability or who is in active defence; service in such cases exceptions are made. It is also provided in clause 20 that in cases where the tenant comes forward with all enthusiasm to improve the land and also to improve his earnings and he plants certain trees, the benefit should go to the tenant. in case the tenancy terminates. On such occasions difficulty will arise. Then the tenant who has planted the trees would be entitled to some compensation, and that is also provided in clause 20. It is within our knowledge that there will be naturally growing trees. On such occasions, half the total produce of such naturally growing trees will go to the landlord and the other half to the tenant. Clause 23 of this Bill fixes the duties and responsibilities of the tenants in respect of cultivation of land. They are required to maintain the boundry marks and repair the protective bunds, etc. In case they fail to do so the landlord can effect improvements and the tenant would be liable to pay that expenditure to the landholder. Clause 25 says that for any wilful act on the part of the tenant which is destructive or permanently injurious, to the land the tenant is liable to lose his tenancy right. It is compulsory on the part of the landholder to give the receipt in writng when the tenant pays the rent.

Chapter III provides for preferring appeals. The duties of the Amildar are defined therein If the party is not satisfied with the order or the decision of the Amildar provision is also made for filing appeals before the Deputy Commissioner and in case the party is not satisfied even with the Deputy Commissioner's decision, he has still another chance of filing a revision petition before Government Thereby ample provision is made to benefit the tenant. In spite of all these circumstances if the tenant were to act in a unlawful manner, he is really made liable for punishment, etc. The schedule of offences also is provided here. That the civil court has no jurisdiction to try any of these cases is also provided for in clause 48.

On the whole, this Bill is for the benefit of both the parties and the Bill may be referred to the Select Committee for consideration.

**Mr. SPEAKER.**—Motion moved :

"That the Mysore Tenancy Bill, 1951, be referred to a Select Committee consisting of :

Sri Kadidal Manjappa.
Sri K. R. Madhava Rao.
Sri B. C. Nanjundiah.
Sri K. Sampangiramiah.
Sri H. K. Veeranna Gowda.
Sri K. H. Mudiappa.
Sri A. Bheemappa Naik
Sri T. Madiah Gowda.
Sri Mudduramiah.
Sri M. Madiah.
Sri H. M. Channabasappa.
Sri B. Hutche Gowda.
Sri H. Siddanajappa and
The Mover.

***Mushir-ul-Mulk J. MOHAMED IMAM** (Chitaldrug *cum* Tumkur—Muslim).—Sir, I heard with interest the opening remarks made by the Hon'ble Minister in charge of the Bill and I feel that I have to make a few observations on this Bill. Sir, I am by nature a little conservative.

**Mr. SPEAKER.**—The Hon'ble Member's dress does not indicate it !

**Janab J. MOHAMED IMAM.**—But in other respects. I am opposed to the introduction of unnecessary changes regarding the dealings between the classes of people. My own feeling is that such unnecessary and uncalled for legislation will create more complications in society and may in course of time create more troubles to both the parties. It is true that the Committee appointed to revise the land revenue tenure and consider other matters did recommend the adoption of such a measure as this. The only reason perhaps as I could understand for recommending such a measure in the State is that a similar one has been adopted in a neighbouring State—Bombay. But, as far as I know, no

(JANAB J. MOHAMED IMAM.)

other State has passed it. Even in Madras I do not think there is any such measure.

**Sri K. PUTTASWAMY.**—The Malabar Tenancy Act.

**Janab J. MOHAMED IMAM.**—That is quite different. So far as I know such a piece of legislation as this is not prevailing in the State of Madras. Whether there was any need for such legislation in the State of Mysore, whether the relationship between the landlord and the tenant is of such a strained nature as to demand such legislation, here is a debatable point. As I know the conditions in the State of Mysore are quite different from what they are even in Madras or Bombay. In Madras there are big zamindars holding thousands of acres of cultivable lands. Similarly, in Bombay there are very big zamindars holding or owning vast, extensive lands. There it is absolutely imperative and necessary on their part to enact such a measure. But in the State of Mysore, so far as I know, there are very few cases where they own more than 100 acres. The distribution of land in the State of Mysore is very equitable and I think they are very few here who can be compared even with the smallest landlord in Madras or Bombay.

I must also know the reasons which prompted the Government to bring forward this measure. Have they received any representation from the tenants within the State that they are not treated properly? Whether there are any serious representations made to Government, I want to know. It is true that the Committee have examined some persons. But there may be some divided opinion. Was there a definite representation from any person or institution or Sangha to introduce a piece of legislation as this is a point which the Hon'ble Minister must make clear. I have also moved throughout the State and I know the conditions of the land-lords here. We cannot call all of them as raiyats, but there are some landlords. They are not intermediaries who come between the Government and the raiyats. All are agriculturists. There are no intermediaries here as in Madras or Bombay. So far as I know, whenever there have been occasions to lease out land, the relationship is very calm. The Hon'ble Revenue Minister may ascertain from the Courts of Law that very few cases have gone for the Courts for restoration of the land. So, the present system here has been working very well and there is a lot of mutual trust between each other. I am also a small agriculturist and I have got many tenants and the relationship has been very harmonious and as such we are always free from trouble. So, the introduction of such a measure will unnecessarily cause suspicion and in the long run it may go against the interest of the tenant himself. I was in Bombay and mofussil places and I know what happened there soon after the Tenancy Act was introduced. All those people that had leased out their lands, when they anticipated that such a measure would come into force, disposed of the lands and they themselves began to cultivate the lands personally thinking that their rights would be jeopardised or that they would lose their rights. So much so, many small tenants had to go without lands and many of them have gone without lands. Similarly, here inspite of your best intention and good-will, this measure may go against the tenant himself, because, before it becomes an Act, people apprehending that their rights for the possession of the land will not be recognised, may dispose of the lands. It is by oral understanding that 90 per cent of them lease out the lands; it is only by oral understanding between the landlord and the tenant that this tenancy or lease is given effect to. Very few get it registered or put it into writing. So, when the Tenancy Act comes into force and when the land-lord apprehends that for another 5 years his interest is at stake, then he will take good care to get the land sold and he may begin to cultivate personally. So many people would be deprived of the lands. Why give room for all these complications? I always hate law. What could be carried on by private understanding, should never

be substituted by legislation, because, the more the legislation, the greater the trouble and the greater the inconvenience for the public. Of course, these are days of legislation for everything. Look at the provisions provided in the Bill. For example, you have fixed that the rent it should not exceed 50 per cent. But there will be occasions where a raiyat will not own bullocks. The land-lord will have to help such a raiyat with manure and bullocks and pays him agricultural wages and on such occasions according to mutual understanding they fix the rent. I know that in several cases the land-lords provide the tenants with bullocks, manure, and pay for the agricultural labour. He takes three-fourths and give the raiyat one-fourth. There are different varieties and you should not rigidly fix it to be 50 per cent. Every tenant who cultivates would generally be poor and he will not be in a position to cultivate satisfactorily without getting sufficient help from the land-lord and it is always the land-lord that advances money to the tenant whenever he is in need of it. There are various kinds of dealings and you cannot fix a rigid rate.

**The Hon'ble Sri H. SIDDAIYA.**—That is the maximum.

**Janab J. MOHAMED IMAM.**—But in so many cases it is either this way or that way. Supposing a raiyat takes money for manure and many other things ; then, the tenant cannot get 50 per cent because the land-lord must deduct for the supply made. You have entrusted the task of fixing the rent to the Amildar. Well, Sir, this I would leave to the parties themselves. If you think that there must be some intermediary, you make provision. But, first of all the parties must themselves come to an agreement; in the absence of the agreement between the two, then, let the Amildar come in. What does the Amildar know about cultivation? He may be a good man to collect revenue. But he is not the proper person for this job. There are lands and lands and you cannot apply the same maximum. There are crops and crops also; some crops fetch good amount and some do not. So, the Amildar is not the competent authority to judge the actual worth of the land nor is he a proper authority to judge the cost of the cultivation. Therefore, I would request you to leave the matter to be agreed to between the tenant and the land-lord and only in cases where a dispute arises, then let the third person come in and arbitrate. Even then I would not agree to the Amildar being the arbitrator because most of the Amildars know little about agriculture and agricultural operations. So, he is the last person to be entrusted with this job.

So, Sir, I submit that this measure, though you have brought it forward with the best of intentions, will not go a long way in helping the raiyat or the tenant. I know that of late there is a crusade against big landlords, against zamindars. It has become a fashion of the day. In the name of the common man and the raiyat they want to do this. I may ask them to consider how far this measure is for the good of the country. Of course in Madras all the landlords have been dispossesed of their property and in other places also a similar thing has happening. This system is existing in this country from times immemorial, for thousands of years, and after the advent of democracy with the best of intentions they have tried to effect very radical and drastic changes.

**Sri H. C. LINGA REDDY.**—It is a sign of progress.

**Janab J. MOHAMED IMAM.**—Yes, I do not condemn it. These are mere experimental measures and such measures had not been undertaken till now. Whether they work satisfactorily is a matter to be judged by the posterity. My only submission is that unless you have cogent reasons, unless you think that the measure is absolutely necessary to set right matters, and unless you are convinced that it is in the best interests, you should not undertake legislation in order to disturb society and the existing social order. That is my submission.

Sir, I went through the Committee's report casually. They have made various recommendations. I think that

(JANAB J. MOHAMED IMAM.)

the chief reason why that committee was appointed was to effect a revision in the incidence of land revenue. You may remember Sir, that often in the old Legislative Council, the present Chief Minister as a Member of the Congress Party was always urging for the appointment of the Committee with the sole object of revising land-revenue system. I can even now quote some of his speeches in support of what I say. He was always saying that the incidence of land revenue is very high specially in Kolar District and that it needed revision. He was very vehement about it and was urging for the appointment of a committee in those days when the non-congress Government was in office.

**Sri M. V. KRISHNAPPA.**—19th century ಯಾಕ್ಕೋ?

**Janah J. MOHAMED IMAM.**—ಅಲ್ಲ. 20th century ನೀವು ಹುಟ್ಟಿದ ಮೇಲೆ. I know Sri Krishnappa Sir. He was at Jagalur as a small boy. Now and then he pulls my leg. It is always welcome.

I was saying that the Hon'ble Chief Minister after he came into power appointed this Committee. Even when this committee was appointed I think it was understood that their main work would be—although they were not precluded from considering other work—to consider problems like reducing the incidence of taxation throughout the State and recommend measures for alleviating the burden of land revenue. That was the main object. Of course I admit that the Committee has done good work. I do not decry

**Mr. SPEAKER.**—You mean that the good work was outside their main object?

**Janab J. MOHAMED IMAM.**—I do not think that they have made any concrete proposals to revise the weight of incidence in Kolar District particularly.

**Sri M. GOVINDA REDDY** (Chitaldrug District—General).—He is criticising the committee's recommendations. That is not the question. That has nothing to do with the Bill under discussion. The Hon'ble Member is not in order in criticising the recommendations of the Committee. He can only refer to those recommendations in so far as they affect the Bill under discussion.

**Janab J. MOHAMED IMAM.**—I say that the Bill is the outcome of this committee's report. So I can make some observations on the committee's recommendations. I think it is in order.

**Mr. SPEAKER.**—But the report of the Committee is not before the House.

**Janab J. MOHAMED IMAM.**—It is just a passing reference Sir. That is all. Even the Hon'ble Minister has taken shelter under the committee's report. The Hon'ble Minister has said :—'as recommended by the Committee, I am moving this Bill'.

**Mr. SPEAKER.**—On that score, the Hon'ble Member cannot discuss all the points contained in the report of the committee.

**Janab J. MOHAMED IMAM.**—I am not discussing all the points. It is difficult also. What I say is that their work was understood to be to suggest reduction in the incidence of taxation on land. That was the object with which our friends were fighting in the old Legislature. But I find from the committee's report—subject to correction—that no cogent proposals have been made for lowering the incidence of land revenue.

**Mr. SPEAKER.**—This is not the occasion to say all that.

**Janah J. MOHAMED IMAM.**—Apart from that, instead of that, they have made such recommendations which though very good in themselves, I submit, were not called for.

**Mr. SPEAKER.**—'Instead of that'?

**Janab J. MOHAMED IMAM.**—That is my opinion Sir.

**Sri M. GOVINDA REDDY.**—The Hon'ble Member calls himself a conservative Sir. But he is a revolutionary and he is upsetting procedure.

**Janab J. MOHAMED IMAM.**—I say it was quite unnecessary and uncalled for in our State, taking the circumstances obtaining into consideration. But circumstances elsewhere in Madras and Bombay were quite different. But here, in this State, all are middle class landholders and under these circum-

stances I think that such a piece of legislation is quite unnecessary.

**Sri H. SIDDAVEERAPPA** (Chitaldrug District—General).—Sir, I welcome this measure, which has got a two-fold object namely the elimination of rack-renting and maximising production in the land by introducing fixity of tenure for a certain period. Although there is some force in what Janab Imam said, I quite respectfully say that it is only one side of the picture. Sir, there are instances where the poor tillers of the soil although they have spent a good deal of energy over the land as soon as the land came to a good condition, were deprived of that piece of land abruptly for no good reason. I know of at least one case where the rent was only Rs. 10 and due to the hard labour of the tenant, some people came forward to compete with him and the person who had taken pains to improve the land was driven away and the rent was raised to Rs. 100. Therefore, I say that it is no new problem. If you study the report of the Congress Agrarian Reform Committee presided over by Sri Kumarappa, you will observe that that the committee went into this question in great detail and have recommended that there should be no middle man between the State and the tiller of the soil. If we compare this Bill to the provisions of the Bombay Act, it will be seen that this Bill is more moderate and milder in form. Firstly, in Bombay the tenure is fixed at 10 years. But in our Bill it is proposed to be fixed at five years. The maximum rent that is prescribed in Bombay is $\frac{1}{4}$ if it is an irrigated land and $\frac{1}{3}$ if it is a dry land. In our Bill the makimum rent is fixed at half of it. Sir, I would not have taken part in the discussion on this Bill at this stage but for the fact that I felt that I must place certain points before the committee so that the Select Committee may give thought to some of these points in greater detail.

The first point I would like to place before this House is the effect of this Bill aiming to eliminate chapter V of the Transfer of Property Act which from the 1st of April would become a Central Act applicable to Mysore. Chapter V of the Transfer of Property Act refers to leases, which covers sections 105 to 117. That has been published in our Official Gazette, dated 15th March 1951, wherein item 21 in Schedule II is the Transfer of Property Act. Would it be competent for us to pass a legislation which would take away the effect of Chapter V of the Transfer of Property Act which is a Central Act and which is going to be introduced in our State on the first of April 1951? I am not sure about that point. I want the Select Committee to go through that point. It is with that object I am mentioning this.

Then there is another point. The Constitution of India provides that every individual has a right of ownership and enjoyment of property and that is referred to in article 31 of the Constitution Act. We have been hearing in the Press that the Patna High Court has held the Abolition of the Zamindari Bill to be *ultra vires*. I only wish that our Select Committee would carefully go through all these points and find out whether this House is competent to pass a legislation like the one that is now before the House.

The next point I would like to urge most respectfully and place before the Select Committee is this. Would it be right to take away the jurisdiction of the Civil Court in a matter like this? Would it be right to leave it to the executive justice or the ruling of the Amildar or the Deputy Commissioner who has been burdened with 101 responsibilities? How does it matter to us if it is left to the Civil Court alone to decide any dispute under this Act? It would be all right if either the landlord or the tenant would feel that justice has been done to him in his case and that his case was fully heard. Why should we take away the jurisdiction of the Civil Court, I am not able to understand. My respectful submission is, it would not be right to take away the jurisdicion of the Civil Court in a matter like this. After all, the Gundappa Gowda Committee Report itself is so clear on

(SRI H. SIDDAVEERAPPA.)

the point. They say that tenant-cultivators in our State are not more than ten per cent of the total number of cultivators and that the relationship between the landlord and the tenant is harmonious. But still with a view to prevent the possibility of further troubles in the interests of the good of the State, I do concede that a necessity may be presumed in the case of a legislation of this sort, but what justice is there to take away the jurisdiction of the Civil Court I am not able to understand. My respectful submission is, it would not be right to take away the jurisdiction of the Civil Court.

I hope the Select Committee will carefully go through these points and give the benefit of their deliberation to this House.

**Sri G. VEERAPPA** (Chitaldrug District—General).—Mr. Speaker, Sir, I wholeheartedly welcome this measure which is very beneficial measure so far as the cultivation of land in Mysore is concerned. There is a feeling that the poor tenants who are illiterate, who have toiled hard, and have done their very best for the improvement of the land, will all of a sudden be deprived of the means of living if an unscrupulous landlord mercilessly evicts them. We may think that the landlord may lease the land to the person who will certainly agree to his own terms. With a view to avoid such hardships to tenants the Government have brought forward this measure. They have adopted almost the same provisions of the Bombay Tenancy Act. My Hon'ble friend Sri Siddaveerappa has pointed out that this is a milder form of legislation when compared to the one existing in the Bombay State. There are some defects which I am pointing out since the Bill is going before the Select Committee for consideration.

One thing is, as my friend has observed, the tendency that we have been seeing to take away gradually the jurisdiction of the Civil Courts wherein we expect that justice would be done. Because, those are judicial men who devote all their attention and who have got full knowledge of law and who give proper decisions. Even in the case of the Sales-Tax Act, the jurisdiction of the Civil Court has been taken away. The importance of the Civil Courts is not being properly observed. Because in the case of a dispute between a tenant and a landlord, especially when the Act is new and when disputes will be so many, the Amildar or the Deputy Commissioner cannot have a judicial frame of mind and cannot be expected to do justice. Further, it is within our experience that no case will be decided in a revenue Court earlier than four or five years. So in a matter of this kind, justice will be delayed. The Amildar will have so many things to do and he is the one person perhaps who has to deal with so many matters and he cannot be entrusted with the additional work of trying cases under the Tenancy Act. Further, I do not know what has prompted the Government to think that the jurisdiction of the Civil Courts should be taken away. So that is one observation I am making for the Select Committee to consider, because it is a very important point.

Next, there are some defects in the Bill, which have to be considered. In clause 18, option is given to the tenant to purchase the land leased to him, if the landlord wishes to part with the land. He cannot sell it to anybody without consulting or giving first priority to the tenant. The landlord may quote a price of Rs. 2,000 when the land is not worth even Rs. 200, if he is unwilling to part with it. It is not stated on what terms he must give the option to the tenant. It is stated that he must only consult the tenant as to whether he is willing to purchase the land or give him one month's notice and if the tenant refuses to purchase for the price quoted by the landlord, then the latter can sell the land to anybody else. I do not think any useful purpose will be served by a provision of this sort without providing adequate remedy for the tenant who really is anxious to purchase the land. Clause 18 as it now stands will serve no useful purpose. Perhaps the Government seem to think that if the option to purchase the land is given

to the tenant, then the landlord cannot have the chance of selling it to anybody else. Clause 18 is to be suitably changed.

With regard to clause 20, what is provided is, if a tenant has planted any trees on the land leased to him, not only has he the full benefit of the produce of the trees but also, in case the tenancy terminates, he will have to be given proper compensation. I am afraid that in case where it is a garden land and a tenant is helped by the landlord in getting money and where trees like cocoanut and mango are grown and the tenancy is for a long period of 10 years or more, if the tenant himself gets the entire benefit of the produce, I do not know what benefit the landlord who has invested money and who has given money for the plants, will derive. I do not know whether this aspect has been observed properly when the clause is introduced. So I would suggest that the clause be either deleted or properly amended so as to provide clearly that in cases where the tenant of his own accord with the consent of landowner has planted certain trees, then only he can get the full benefit but not otherwise.

With regard to rent, the present practice also is that the landlord would not take more than half, *i.e.* 50 per cent. I do not know what better relief this Act gives by only mentioning that fair rent would be 50 per cent. I do not think any landlord at present is taking more than that. The Bill requires an improvement with regard to this also.

There are of course many more defects which have to be set right. I am sure the Select Committee will consider the Bill very carefully and amend it so as to avoid unnecessary litigation also.

I heard Janab Imam pointing out that there will be no need to introduce a Bill like this because no tenant in Mysore has given representation to the Government to introduce a measure like this. It is not so. I have heard that so many tenants, specially from Malnad areas have been urging the Government to introduce a measure of this sort, and in every session cut motions are being moved urging the Government to introduce a measure of this sort. There has been sufficient pressure on the Government urging the introduction of a measure of this sort and it is not an unnecessary or uncalled for legislation.

Aprehension was expressed that it will create unnecessary complications. It is only to avoid complications and create mutual harmonious relationships between the landlord and the tenant that Government have thought of bringing forward this legislation. I do not know on what ground my friend raised an objection against a very beneficial measure like this. I only wish that this legislation is hurried through and that the Select Committee also goes through it carefully and submits the report very early so that we may see that the tenants in Mysore really get the benefit of the Bill and that a very healthy atmosphere is created.

**Mr. SPEAKER.**—I want to know how many more members want to speak.

Voices.—Many.

**Mr. SPEAKER.**—Then we shall resume discussion on this Bill on the 4th of April, 1951. To-morrow we will meet at 8 a.m. Till then the House is adjourned.

*The Assembly adjourned at Three Minutes past Six of the Clock to meet again at Eight of the Clock on the morning of Thursday the 22nd March 1951.*

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